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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/900,561	07/06/2001	Peter Bernard Kaars	US000171	5051

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EXAMINER

TRAN, NGHI V

ART UNIT PAPER NUMBER

2151

DATE MAILED: 02/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/900,561	KAARS, PETER BERNARD	
	Examiner	Art Unit	
	Nghi V. Tran	2151	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 January 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 and 10-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 10-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3-4, 5, 7-8, 10-11, and 14-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ueno et al., U.S. Patent No. 6,226,670 (hereinafter Ueno), in view of Kelly et al., U.S. Patent Application Publication No. 2005/0154531 (hereinafter Kelly).

3. With respect to claims 1, 5, and 10, Ueno teaches a method of providing a service to distribute electronic content to a plurality of addressees via a data network [see abstract], the method comprising the acts of:

- identifying respective edge servers in said network that are in close proximity with respective groups of addressees from among the plurality of addressees [fig.1 and col.6, Ins.5-59];
- sending to the identified respective edge servers one copy of the electronic content and said respective groups of addressees associated with the identified respective edge servers [col.2, ln.60 - col.3, ln.67];

- enabling the identified respective edge servers to send individual copies of the electronic content to individual ones of the addressees in the identified edge server's respective group of addressees [For example, Ueno suggests an analysis of distribution method in step 4 including broadcast distribution in step 6, i.e. accumulate e-mail in all person mail spools associated with group mail address, see fig.5].

However, Ueno does not explicitly show enabling the identified respective edge servers to add a local portion to the copy; and enabling the identified respective edge servers to send individual copies of the electronic content including said local portion.

In a communication method, Kelly suggests enabling the identified respective edge servers to add a local portion (i.e. forecast data or weather condition) to the copy [fig.2]; and enabling the identified respective edge servers to send individual copies of the electronic content including said local portion [fig.5].

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Ueno in view of Kelly by enabling the identified respective edge servers to add a local portion to the copy because this feature must be capable of producing thousands of near-real-time individualized weather forecasts [Kelly, paragraph 0009]. It is for this reason that one of ordinary skill in the art at the time of the invention would have been motivated in order to provide access to their latest weather condition and forecast reports via computer over the Internet at any time desired [Kelly, paragraph 0006].

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4. With respect to claims 3 and 7, Ueno further teaches the electronic content comprises an e-mail [fig. 1].

5. With respect to claims 4, 8, and 11, Ueno does not explicitly show said local portion includes local information associated with the respective identified edge servers.

In a communication method, Kelly discloses said local portion includes local information (i.e. forecast data or weather condition based on individual or business user's geographic location, see paragraph 0010) associated with the respective identified edge servers [figs. 1&2].

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Ueno in view of Kelly by enabling the identified respective edge servers to add a local portion to the copy because this feature must be capable of producing thousands of near-real-time individualized weather forecasts [Kelly, paragraph 0009]. It is for this reason that one of ordinary skill in the art at the time of the invention would have been motivated in order to provide access to their latest weather condition and forecast reports via computer over the Internet at any time desired [Kelly, paragraph 0006].

6. With respect to claims 14-21, Ueno does not explicitly show wherein said local information include a local weather forecast associated with a geographic location of the respective groups of addresses.

In a communication method, Kelly discloses said local portion includes local information (i.e. forecast data or weather condition based on individual or business user's geographic location, see paragraph 0010) associated with the respective identified edge servers [figs.1&2].

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Ueno in view of Kelly by enabling the identified respective edge servers to add a local portion to the copy because this feature must be capable of producing thousands of near-real-time individualized weather forecasts [Kelly, paragraph 0009]. It is for this reason that one of ordinary skill in the art at the time of the invention would have been motivated in order to provide access to their latest weather condition and forecast reports via computer over the Internet at any time desired [Kelly, paragraph 0006].

7. Claims 2, 6, and 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ueno in view of Kelly, as applied in claims 1, 5, and 10 above, and further in view of Boivie et al., "Small Group Multicast: A new Solution for Multicasting on the Internet" (hereinafter Boivie).

8. With respect to claims 2 and 6, Ueno does not explicitly show supplying a list of identifiers of the addressees of the identified respective edge server's respective group to the identified respective edge server.

In a communication method, Boivie suggests supplying a list of identifiers of the addressees of the identified respective edge server's respective group to the identified respective edge server [page 77].

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Ueno in view of Boivie by supplying a list of identifiers of the addressees of the identified respective edge server's respective group to the identified respective edge server because this feature reduces sending extra packets to destination [Boivie, pages 77-78]. It is for this reason that one of ordinary skill in the art at the time of the invention would have been motivated in order to avoid wasting a lot of bandwidth [Boivie, pages 77-78].

9. With respect to claims 12 and 13, Ueno does not explicitly show the supplied list of identifiers of the addresses of the identified respective edge server's respective groups are addressable via the identified edge server.

In a communication method, Boivie teaches the supplied list of identifiers of the addresses of the identified respective edge server's respective groups are addressable via the identified edge servers [fig.1 and pages 77-78].

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Ueno in view of Boivie by supplying a list of identifiers of the addressees of the identified respective edge server's respective group to the identified respective edge server because this feature reduces sending extra packets to destination [Boivie, pages 77-78]. It is for this reason that one of ordinary

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skill in the art at the time of the invention would have been motivated in order to avoid wasting a lot of bandwidth [Beoivie, pages77-78].

### ***Response to Arguments***

10. Applicant's arguments with respect to claims 1-8 and 10-13 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.



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12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi V. Tran whose telephone number is (571) 272-4067. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571) 272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nghi V Tran  
Patent Examiner  
Art Unit 2151

NT

  
ZARNI MAUNG  
ASSISTANT PATENT EXAMINER